



ARLINGTON FINANCE COMMITTEE  
MINUTES OF MEETING

6/17/20 7:30 PM

Conducted by Remote Participation - Zoom Meeting

ATTENDEES:

Gibian*	Padaria*	Pokress*	Kellar	McKenna*
Blundell*	Wallach*	Harmer*	Tosti*	
Ellis*	Foskett*	Deyst*	Kocur*	
White	Beck*	Jones*	Deshler*	
Franclemont*	Howard*	LaCourt*	Carman*	Diggins*

\*Indicates present

VISITORS: Deputy Town Manager Sandy Pooler,

1. INTRODUCTION: Tosti read the rules for the meeting as formulated by Town Counsel based on the Governor's authorization (Ref 1). An important rule is that all votes must be by role call. See Ref 2 for the roll call record of attendance and votes.

2. END OF YEAR TRANSFERS: Sandy Pooler provided a summary and copies of department requests (Ref 3). Three departments had retirement buyouts not included in their budgets. Some of this will be paid from the Deferred Compensation Fund. Capital costs for Mill Brook culvert work under the AHS parking lot was mistakenly paid from the W&S Enterprise fund. This will be paid instead from the Reserve Fund. There will be several recounts associated with the recent election. The estimated cost of this work will be paid from the Reserve Fund.

VOTED \$244,987 to be transferred from the Reserve Fund as detailed in Ref 3. Unanimous.

VOTED \$41,331 to be transferred from the Deferred Compensation Fund also as detailed in Ref 3. Unanimous

3. ELECTIONS: Tosti requested nominations at the 6/1 meeting. He received nominations for all incumbents: 2 vice chairs & secretary. There was one nomination for chair and two for the vacant vice chair which he announced at the meeting. At the meeting, Annie LaCourt withdrew.

VOTED: To elect Charlie Foskett Chair; Christine Deshler, Alan Jones, and Dean Carman Vice Chairs, and Peter Howard Secretary. Unanimous

4. SUMMER ARRANGEMENTS: Carmen moved the usual provision for Reserve Fund transfers.

VOTED: While out of session, the Finance Committee authorizes the Chair to make transfers from the Fiscal 2021 Reserve Fund budget of up to \$10,000, and transfers of up to \$25,000 with the consent of two Vice Chairs.

5. RESERVE FUND BALANCE:  $1,547,451.59 - 276,318 = 1,271,133.59$

6. COMMITTEE: Led by Foskett, members heaped heart felt praise on Al Tosti for his many years of skillfully chairing the FinCom, of his effective advice to other town leaders, for the high regard the FinCom has in the eyes of Town Meeting, and for his many other contributions to the Town. He promised to continue to serve the FinCom as a member.

The meeting adjourned at 8:20 PM.

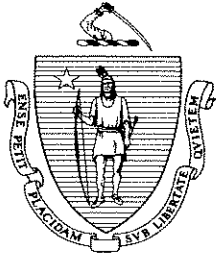
Ref 1 Governor's Authorization

Ref 2 Roll Call and Votes

Ref 3 End of Year Transfers

Peter Howard 6/18/20

Revised 10/26/20



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

**WHEREAS**, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a large, sweeping initial "C".

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts

	Votes		1	2	3	4	5	6	7	8	9	10	11	12	13
		Attendance	Reserve Fund Transfers	Deferred Comp. Fund	Foskett for Chair	Jones & Deshler for Vice Chair	Carman for Vice Chair	Howard for Secretary	Autorize Chair Summer Transfers						
Pct															
1	Grant Gibian	y	y	y	y	y	y	y	y						
2	Shane Blundell	y	y	y	y	y	y	y	y						
3	John Ellis	y	y	y	y	y	y	y	y						
4	Carolyn White														
5	Mary Margaret Franclemont	y	y	y	y	y	y	y	y						
6	Arif Padaria	y	y	y	y	y	y	y	y						
7	Johnathon Wallach	y	y	y	y	y	y	y	y						
8	Charlie Foskett	y	y	y	y	y	y	y	y						
9	Brian Beck	y	y	y	y	y	y	y	y						
10	Pete Howard	y	y	y	y	y	y	A	y						
11	Shaileen Crawford Pokress	y	y	y	y	y	y	y	y						
12	Darrel Harmer	y	y	y	y	y	y	y	y						
13	John Deyst	y	y	y	y	y	y	y	y						
14	Alan Jones	y	y	y	y	A	y	y	y						
15	Annie LaCourt	y	y	y	y	y	y	y	y						
16	Bill Kellar														
17	Allan Tosti	y			y	y	y	y	y						
18	George Kocur	y	y	y	y	y	y	y	y						
19	Christine Deshler	y	y	y	A	A	y	y	y						
20	Dean Carman	y	y	y	y	y	A	y	y						
21	Dave McKenna	y	y	y	y	y	y	y	y						
	Liz Diggins	y													
	total "y"	19	18	18	18	17	18	18	19						
	total "n"	0	0	0	0	0	0	0	0						
	total other	2	3	3	3	4	3	3	2						



**Town of Arlington  
Office of the Town Manager**

**Sanford M. Pooler**  
Deputy Town Manager

730 Massachusetts Avenue  
Arlington MA 02476-4908  
Phone (781) 316-3010  
Fax (781) 316-3019  
E-mail: [spooler@town.arlington.ma.us](mailto:spooler@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

TO: Finance Committee

FROM: Sandy Pooler, Deputy Town Manager

CC: Adam W. Chapdelaine, Town Manager  
Ida Cody, Comptroller

DATE: June 17, 2020

RE: End of Year Transfers

Upon receipt of additional information about the deferred payroll account's availability to cover some of the costs of employee buy outs and of information about the need to cover the costs of a recount of the town election, I am submitting a revised version of this memorandum.

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Attached for your information and review is a list of anticipated end of year transfer requests, a sheet summarizing the transfers, and attachments of memos or letters from the departments requesting the transfers. I have reviewed year end salary and spending projections with the Comptroller and believe the transfer requests listed below will cover all deficits in spending accounts for Fiscal Year 2020. Please note that the anticipated transfers included in the attachment are subject to change prior to the conclusion of FY 2020. There may also be a need for an additional transfer(s) not included in the attachments. The Town Manager's Office will continue to monitor spending and provide additional information prior to requesting formal action from the Finance Committee

The following is a summary of the transfer requests<sup>1</sup>:

### **Elections**

The State has certified recount petitions for the Select Board election and for two town meeting member races in two precincts. These will be hand counts and the Town will need to hire election workers to conduct the recount. Inasmuch as the Town has little experience with recounts, the Clerk and Select Board Offices are still trying to ascertain the exact costs of the recount. However, our internal discussions lead us to believe that the cost will be less than \$10,000. I recommend making a Reserve Fund transfer for \$10,000 to the Elections Department.

<sup>1</sup> The Department of Public Works Snow and Ice budget is not in deficit, so a Reserve Fund transfer for snow and ice will not be necessary in FY2020.

### **Employee Buyouts**

Employees who retire from the Town of Arlington are entitled by contract and by town bylaw and state law to payment for various earned benefits, including unused vacation days, buyback of a portion of unused sick days, and for certain employees who were subject to deferred pay increases years ago, a deferred salary payment. There are employees in several departments who retired during FY2020 and who were paid these payments. Many years ago, the Town established a Referred Compensation account to cover the expenses of the two deferred compensation plans put in place in 1984 and 19991. The amounts recommended below to be appropriated from that account are for the deferred compensation portion of each employee's buyout package. I recommend making Reserve Fund transfers and Deferred Compensation Account transfers to the following departments in the following amounts:

Town Clerk, \$96,570; \$90,192 from the Reserve Fund and \$6,378 from the Deferred Compensation Account

Legal, \$107,370; \$72,417 from the Reserve Fund and \$34,953 from the Deferred Compensation Account

Planning, \$3,194 from the Reserve Fund

### **Debt**

The Treasurer requests a Reserve Fund transfer of \$13,534 to cover debt service payments on a bond issued in 2012 for a culvert running under the Arlington High School parking lot. Previously, this debt service has been charged to the Water and Sewer Enterprise Fund, however, the Treasurer/Collector has determined that this payment should be made by the General Fund. It FY2021 and beyond, these payments will be budgeted in the General Fund.

### **Weatherization**

The Town had to stop running its Weatherization Program this winter, because of the effects of the Coronavirus. The program, which installed updated heating and cooling equipment in low income families' house throughout the western metropolitan Boston area, had to stop once it became impossible to enter people's homes. As the memo from Jenny Raitt explains, the Town separated the program's employees from employment, paid them their remaining salaries, their accumulated buyouts, and a small charge for some program software, because at that time the program could not bring in any additional revenue. The Planning Department is working with the state agency that sponsors this program to recoup additional funds, but to close out this year, I recommend appropriating \$54,930 from the Reserve Fund to cover this deficit.

### **Impact to Reserve Fund**

The recommendations outlined above total \$286,318, \$244,987 from the Reserve Fund and \$41,331 from the Deferred Compensation Account. If approved, the balance in the Reserve Fund would be \$1,302,464.59 and the balance in the Deferred Compensation Account would be \$36,812.46.



**FY20 Transfers, June 17, 2020, amended**

Department	Amount Required		Transfer Source	
	Expense	Salaries	Deferred Comp. Fund	Reserve Fund
Legal				
<i>Employee Buyout</i>		\$107,370	\$34,953	\$72,417
Town Clerk				
<i>Employee Buyout</i>		\$96,570	\$6,378	\$90,192
Planning				
<i>Employee Buyout</i>		\$3,914		\$3,914
Weatherization				
<i>Employee Buyout and software</i>	\$2,200	\$52,730		\$54,930
Treasurer/Collector				
<i>Debt</i>	\$13,534			\$13,534
Elections				
<i>Recount</i>	\$2,000	\$8,000		\$10,000
Total	\$17,734	\$268,584	\$41,331	\$244,987

TOWN OF ARLINGTON  
LEGAL DEPARTMENT

Office of the Town Counsel



50 Pleasant Street  
Arlington, MA 02476  
781-316-3151  
Fax: 781-316-3159

MEMORANDUM

TO: Sandy Pooler, Finance Director  
FROM: Douglas W. Heim, Town Counsel  
DATE: June 15, 2020  
SUBJECT: Reserve Fund Transfer

Please accept this memo as a request for a reserve funds transfer in the amount of:

\$107,370.00 [to the Salaries & Wages Account No. 0115181 5100]

The retirement of long time Workers Compensation and Benefits Attorney, Edward Marlenga entitled Mr. Marlenga to a substantial buyout of \$146,874. The amount of the buyout is so substantial because he was, upon information and belief, the longest tenured M-Schedule town employee at the time of his retirement and entitled to several legacy provisions relative to deferred wages, leave balances and other benefits.

Our current available balance is - \$87,874.62

Please contact me should you have any questions. Thank you.



## TOWN OF ARLINGTON

DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

Date: June 15, 2020

From: Jennifer Raitt, Director of Planning and Community Development

To: Finance Committee  
Sandy Pooler, Deputy Town Manager  
Ida Cody, Comptroller

cc: Adam Chapdelaine, Town Manager

Re: End of Year Transfer Request

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Attached for your information and review is my Department's end of year transfer request, including a spreadsheet summarizing the transfer. This request is in relation to the Menotomy Weatherization Program which has operated as an independent wholly grant-funded program outside of the Department of Planning and Community Development operating budget for many decades. A number of factors led to the suspension of this program and termination of three employees. The last issue was the most challenging for the program: operations were suspended in order to be in compliance with the State of Emergency due to COVID-19. The moratorium on conducting field work during the emergency meant that the program could not conduct or bill for any work. The program operated solely on grant funds that are received only upon achieving production goals. The program is now suspended through the end of the grant-funded fiscal year: September 30, 2020.

The total transfer amount needed to cover the program's operating deficit is **\$54,930**. The following will be covered by this request:

### **Employee Buyouts**

There are no excess salary funds in the Department's budget to pay for employee buyouts. Therefore, a Reserve Fund transfer is needed in the following amount: \$44,987. Employees who retire from or who are terminated by the Town of Arlington are entitled by contract and by town bylaw and state law to payment for various earned benefits, including unused vacation days, buyback of a portion of unused sick days, and for certain employees who were subject to deferred pay increases years ago.

### **Salaries**

The last week of employment for the three personnel was not reimbursable; the total amount is \$4,133. A portion of one employee's time had been spent on CDBG-funded activities earlier in the fiscal year. After that employee's time had shifted away from CDBG-funded activities, the CDBG

account was still being charged for payroll time. \$3,610 needs to be moved from this account to the CDBG fund.

An additional \$2,200 needs to be returned to the State overseeing HEARTWAP to cover software costs related to program operations. Given that the operations have ceased, funds now need to be returned.

Lastly, the deficit appears much higher as a result of requests for payment to various funding sources which have not yet been fulfilled. The Department is awaiting additional reimbursements from various sources which we will receive by the close of the fiscal year.

Should you have any questions regarding this transfer request, I can be reached at [jraitt@town.arlington.ma.us](mailto:jraitt@town.arlington.ma.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Raitt", with a stylized flourish at the end.

Jennifer Raitt  
Director of Planning and Community Development



*Office of the Treasurer & Collector of Taxes*

*Town of Arlington, Massachusetts  
730 Massachusetts Avenue  
Arlington, MA 02476*

*Telephone Number: 781-316-3031  
Facsimile Telephone: 781-316-3089*

**Phyllis L. Marshall**  
**Treasurer & Collector of Taxes**

Date: June 12, 2020  
To: Sandy Pooler, Deputy Town Manager  
From: Phyllis Marshall, Treasurer - Collector  
Subject: Reserve Fund Transfer Request

A handwritten signature in blue ink, appearing to read "Phyllis Marshall", written over the "From:" line of the letterhead.

As discussed, previously in April, the Bond Issue dated November 15, 2012 included \$250,000 for AHS Parking Lot Culvert Sewer 2 (I) Series A. It was represented on the debt schedule as an enterprise fund expense and it was not included in the General Fund debt service calculation.

The principal expense is \$10,000 and the interest expense outstanding is \$3,534.

I respectfully request additional funds to cover the shortfall in the amount of \$13,534.

Cc: Ida Cody, Comptroller  
Karen Reilly, Deputy Treasurer - Collector